

**FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 24, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Raybould, Wood. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Casey Dubose, Page.

Approval of Journal

February 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

February 20, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 50, H 84, and H 85

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

February 21, 2003

Mr. Speaker:

I return herewith enrolled **H 3**, as amended, and **H 72** which have been signed by the President.

WOOD, Secretary

Enrolled **H 3**, as amended, and **H 72** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 21, 2003

Mr. Speaker:

I transmit herewith **S 1048, S 1039, S 1041, and S 1042** which have passed the Senate.

WOOD, Secretary

S 1048, S 1039, S 1041, and S 1042 were filed for first reading.

February 21, 2003

Mr. Speaker:

I return herewith **H 89**, as amended, and **H 142** which have passed the Senate.

WOOD, Secretary

H 89, as amended, and **H 142** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HR 2, H 290, H 291, and H 292**.

FIELD(18), Chairman

HR 2 and H 290 were referred to the Judiciary, Rules, and Administration Committee.

H 291 and H 292 were referred to the State Affairs Committee.

February 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 13**, as amended.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 13**, as amended, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 24, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 130** to the Governor at 11:30 a.m., as of this date, February 21, 2003.

FIELD(18), Chairman

February 21, 2003

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 206** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 206 was placed on General Orders for consideration.

February 24, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 259** and recommend that it do pass.

DEAL, Chairman

H 259 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 25

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY RELATING TO THE CONTROL OF AIR POLLUTION IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Environmental Quality relating to the control of air pollution in Idaho are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 58.01.01, Section 605, concerning reasonable control of open burning, IDAPA 58.01.01, Section 608, concerning weed control fires, IDAPA 58.01.01, Section 611, concerning domestic household solid waste disposal fires, and IDAPA 58.01.01, Section 614, concerning prescribed fire management burning, pending rules of the Department of Environmental Quality relating to the control of air pollution in Idaho, adopted as pending rules under Docket Number 58-0101-0201, be, and the same are hereby rejected and declared null, void and of no force and effect.

HOUSE CONCURRENT RESOLUTION NO. 26

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE CONCERNING RECYCLED OIL AND ENCOURAGING STATE AGENCIES TO PURCHASE AND USE RECYCLED OIL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, using recycled oil makes good environmental sense because it prevents accidental spills, leaks and the deliberate dumping of oil that can contaminate water supplies; and

WHEREAS, using recycled oil makes good resource conservation sense because it takes one-third less energy to produce recycled oil than it takes to refine crude oil to lubricant quality; and

WHEREAS, the third goal stated by President Bush in his State of the Union speech was the promotion of energy independence for the United States, including conservation measures that would include the use of recycled oil; and

WHEREAS, there is no compromise in the quality of recycled oil because recycled oil is cleaned of impurities and undergoes the same comprehensive testing and meets the same quality standards as crude-based lubricants in order to receive certification by the American Petroleum Institute (API); and

WHEREAS, recycled oil can be purchased at a price equivalent to virgin oil; and

WHEREAS, a number of states, including Alaska, Maine, Oregon, Utah and Washington, already encourage their state agencies to purchase and use recycled oil; and

WHEREAS, large numbers of companies and organizations use recycled oil in their car and truck fleets, including Coca-Cola, United Parcel Service, the California Highway Patrol and the NASCAR race circuit.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that state agencies in Idaho are hereby encouraged to consider the purchase and use of recycled oil.

HCR 25 and **HCR 26** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 294

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO WOLVES; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 36-715, IDAHO CODE, TO PROVIDE FOR TRANSITION FROM FEDERAL MANAGEMENT OF WOLVES TO STATE MANAGEMENT, TO PROVIDE FOR CERTAIN AUTHORITIES AND DUTIES OF THE FISH AND GAME COMMISSION AND THE OFFICE OF SPECIES CONSERVATION RELATING TO WOLF CONSERVATION AND MANAGEMENT AND TO REVISE THE AUTHORITIES AND DUTIES OF THE DEPARTMENT OF FISH AND GAME RELATING TO WOLF CONSERVATION AND MANAGEMENT.

HOUSE BILL NO. 295

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2107, IDAHO CODE, TO

AUTHORIZE THE BOARD TO OBTAIN INJUNCTIVE RELIEF FOR VIOLATIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 36-2113, IDAHO CODE, TO PROVIDE REGULATORY JURISDICTION OVER FORMER LICENSEES FOR VIOLATIONS WHICH OCCURRED DURING THE PERIOD OF LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-2117A, IDAHO CODE, TO PROVIDE FOR INJUNCTIVE RELIEF AGAINST VIOLATORS, TO REVISE THE LIMITATION OF ACTIONS, TO REVISE PENALTIES AND TO PROVIDE CORRECT TERMINOLOGY.

HOUSE BILL NO. 296
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE STATE LOTTERY; PROVIDING LEGISLATIVE INTENT; REPEALING SECTIONS 67-7420 AND 67-7451, IDAHO CODE, RELATING TO CONTRACTS FOR MAJOR PROCUREMENTS AND EXEMPTION FROM THE STATE PURCHASING LAW; AMENDING SECTION 67-7441, IDAHO CODE, TO PROVIDE A CORRECT CODE CITATION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 297
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SALES OF CIGARETTES; AMENDING CHAPTER 57, TITLE 39, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 39-5714, 39-5715, 39-5716, 39-5717, 39-5718 AND 39-5719, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR DELIVERY SALES, TO PROVIDE AGE VERIFICATION REQUIREMENTS, TO PROVIDE DISCLOSURE REQUIREMENTS, TO PROVIDE SHIPPING REQUIREMENTS, TO PROVIDE REGISTRATION AND REPORTING REQUIREMENTS AND TO PROVIDE ENFORCEMENT.

H 294, H 295, H 296, and H 297 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1048, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1039, S 1041, and S 1042, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1011 and S 1052, by Transportation Committee, were read the second time by title and filed for third reading.

H 195 and H 233, by Local Government Committee, were read the second time by title and filed for third reading.

HCR 22, by Environmental Affairs Committee, was read the second time by title and filed for third reading.

H 203 and H 202, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 186, by Education Committee, was read the second time by title and filed for third reading.

H 293, by Appropriations Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1035 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **S 1035** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 57.

NAYS -- Eberle, Kulczyk. Total -- 2.

Absent and excused -- Bieter, Cuddy, Field(18), Kellogg, McKague, Raybould, Roberts, Sali, Schaefer, Smith(24), Wood. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **S 1035** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 102 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 102** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ring, Ringo, Roberts,

Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bieter, Harwood, Kellogg, Raybould, Ridinger, Sali, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 102** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 230 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bauer to open debate.

The question being, "Shall **H 230** pass?"

Roll call resulted as follows:

AYES -- Bauer, Bieter, Black, Boe, Cannon, Douglas, Ellsworth, Field(18), Field(23), Henbest, Kellogg, Langford, Langhorst, Martinez, Ridinger, Ring, Robison, Smith(24), Snodgrass, Tilman, Trail, Wills, Mr. Speaker. Total -- 23.

NAYS -- Andersen, Barraclough, Barrett, Bedke, Bell, Block, Bolz, Bradford, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Eskridge, Gagner, Garrett, Harwood, Jaquet, Jones, Kulczyk, Lake, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Stevenson. Total -- 45.

Absent and excused -- Raybould, Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 230** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Denney asked unanimous consent that **H 275** and **H 229** retain their places on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 187** retain its place on the Third Reading Calendar until Wednesday, February 26, 2003. There being no objection, it was so ordered.

H 12 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 12** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood,

Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Mitchell, Moyle, Naccarato, Nielsen, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Barrett, McKague. Total -- 2.

Absent and excused -- Crow, Edmunson, Miller, Raybould, Ridinger, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 12** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 17 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kulczyk to open debate.

The question being, "Shall **HCR 17** be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Raybould, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **HCR 17** adopted and ordered the resolution transmitted to the Senate.

H 188 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cannon to open debate.

Mr. Cannon asked unanimous consent that **H 188** be returned to the Education Committee. Ms. Jaquet objected.

Mr. Tilman moved that **H 188** be returned to the Education Committee. Seconded by Mrs. Bell.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Block, Bolz, Bradford, Campbell, Clark, Collins, Crow, Deal, Denney,

Eberle, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Moyle, Nielsen, Ridinger, Roberts, Sali, Schaefer, Shepherd, Shirley, Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 43.

NAYS -- Andersen, Bauer, Bieter, Black, Boe, Cannon, Cuddy, Douglas, Eskridge, Henbest, Jaquet, Jones, Langhorst, Martinez, Miller, Mitchell, Naccarato, Ring, Ringo, Robison, Rydalc, Saylor, Skippen, Smith(30), Trail. Total -- 25.

Absent and excused -- Raybould, Wood. Total -- 2.
Total -- 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall **H 188** pass?"

Roll call resulted as follows:

AYES -- Andersen, Bauer, Bieter, Black, Boe, Campbell, Cannon, Cuddy, Douglas, Field(23), Henbest, Jaquet, Jones, Lake, Langhorst, Martinez, Mitchell, Naccarato, Ring, Ringo, Robison, Rydalc, Saylor, Shepherd, Skippen, Smith(30), Trail, Mr. Speaker. Total -- 28.

NAYS -- Barraclough, Barrett, Bedke, Bell, Block, Bolz, Bradford, Clark, Collins, Crow, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Kulczyk, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Ridinger, Roberts, Sali, Schaefer, Shirley, Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills. Total -- 39.

Absent and excused -- Kellogg, Raybould, Wood. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 188** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Bedke, Gagner, Kellogg, Raybould, Wood. Total -- 5.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 171 was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **H 171** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Rydalc, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Bieter, Robison. Total -- 2.

Absent and excused -- Bedke, Gagner, Kellogg, Raybould, Sali, Stevenson, Wood. Total -- 7.
Total -- 70.

Whereupon the Speaker declared **H 171** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HJM 3 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **HJM 3** be adopted?"

Whereupon the Speaker declared **HJM 3** adopted by voice vote and ordered the memorial transmitted to the Senate.

HJM 2 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **HJM 2** be adopted?"

Whereupon the Speaker declared **HJM 2** adopted by voice vote and ordered the memorial transmitted to the Senate.

H 253 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **H 253** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bell, Bieter,

Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Kulczyk, Nielsen. Total -- 2.

Absent and excused -- Bedke, Gagner, Kellogg, Raybould, Roberts, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 253** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 76 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 76** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Jaquet, Jones, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Bauer, Harwood, Kulczyk, McKague, Schaefer. Total -- 6.

Absent and excused -- Bedke, Gagner, Kellogg, Raybould, Roberts, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 76** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 71, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 71**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones,

Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Moyle, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 56.

NAYS -- Barrett, Crow, Cuddy, McKague, Mitchell, Naccarato, Nielsen. Total -- 7.

Absent and excused -- Bedke, Bell, Gagner, Kellogg, Raybould, Roberts, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 71**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 62, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 62**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Miller, Mitchell, Naccarato, Nielsen, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Bedke, Gagner, Kellogg, Meyer, Moyle, Raybould, Roberts, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 62**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 125**, as amended, retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

H 169, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 169**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth,

Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Clark, Smith(24). Total -- 3.

Absent and excused -- Bedke, Gagner, Kellogg, Raybould, Roberts, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 169**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:45 a.m., Tuesday, February 25, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:10 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk